

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

Meredith Ellison

REPORT OF PARTIES' PLANNING MEETING
CASE NUMBER 2:09-cv-01549

V.

Ocwen Loan Servicing, LLC

Guideline for parties and attorneys:

The parties are advised to use the *Worksheet for Report of Parties Planning Meeting* (Form USDC/ATTY-004 located on the Court's website at www.wvwd.uscourts.gov) and the suggested guidelines contained in the form's comments.

1. Pursuant to Fed.R.Civ.P. 26(f), a meeting was held on February 18, 2010. Those participating were:

Daniel F. Hedges for plaintiff(s)
Chris R. Arthur, Esquire for defendant(s) Ocwen Loan Servicing, LLC
____ for defendant(s) _____
____ for defendant(s) _____

2. Pre-Discovery Disclosures. The parties will exchange by March 19, 2010 the information required by Fed.R.Civ.P. 26(a)(1).

3. Plaintiff(s) should be allowed until March 19, 2010 to join additional parties and until March 26, 2010 to amend the pleadings. Defendant(s) should be allowed until March 29, 2010 to join additional parties and until April 12, 2010 to amend the pleadings.

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4. Discovery Plan. The parties jointly propose to the court the following discovery plan:
[Use separate paragraphs or subparagraphs as necessary if parties disagree.]

Discovery will be needed on the following subjects:

Loan Servicing; and Payment history.

Disclosure of electronically stored information should be handled as follows:

This will be addressed by the parties if necessary.

The parties have agreed to an order regarding claims of privilege or of protection as trial-preparation material asserted after production, as follows:

This will be addressed by the parties if necessary.

This action is not suitable for designation as a complex case requiring special case management procedures and additional pretrial conferences. If the parties and attorneys believe that the case is complex, the basis for that belief is:

The last date to serve discovery requests is October 5, 2010. The last date on which to take a discovery deposition is 45 days after the last date to serve discovery requests. The last date on which to take a discovery deposition is known as the "discovery completion date." [Discovery on _____ to be completed by November 19, 2010.]

The parties do adopt the discovery limits set forth in the Federal Rules of Civil Procedure. If the parties and attorneys believe that more discovery is needed, the basis for that belief is:

Reports from retained experts under Rule 26(a)(2) due:

By the party with the burden of proof on an issue: September 20, 2010 ;
By the party not bearing the burden of proof on an issue: October 20, 2010 ; and
Expert witness disclosures intended solely to contradict or rebut evidence on the same issue
identified by another party: November 9, 2010 .

5. Magistrate judges will resolve discovery disputes. The parties do not consent to have a United States magistrate judge conduct any and all further proceedings in the case, including trial, and order the entry of a final judgment.
6. Mediation shall take place on or before December 20, 2010 .
7. Potential dispositive motions shall be filed by December 20, 2010 , with responses and replies filed according to the Local Rules.
8. The parties request a pretrial conference in February, 2011 .
The plaintiff(s) shall submit a proposed pretrial order to defendant(s) on or before January 31, 2011 .
The defendant(s) shall compile a proposed integrated pretrial order and submit it to chambers of the presiding judicial officer on or before February 14, 2011 .
9. Where applicable, proposed jury instruction shall be exchanged and transmitted to chambers of the presiding judicial officer in WordPerfect format on or before March 2, 2011 .
10. Where applicable, proposed findings of fact and conclusions of law shall be exchanged and transmitted to chambers of the presiding judicial officer in WordPerfect format on or before March 1, 2011 .
11. A final settlement conference will take place on March 7, 2011 .

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12. The case should be ready for trial by March 8, 2011, and at this time is expected to take approximately 2 days.

The parties do not request a conference with the court before entry of the scheduling order.

/s/ Chris R. Arthur

Chris R. Arthur, Esquire (WVSB #9192)
Samuel I. White, PC
300 Capitol Street, Suite 1600
Charleston, WV 25301

/s/ Daniel F. Hedges

Daniel F. Hedges, Esquire (WVSB # 1660)
Pepper & Nason
8 Hale Street
Charleston, WV 25301

A rectangular stamp with the words "SIGN HERE" in a bold, sans-serif font. The stamp is slightly tilted and has a textured, metallic appearance.